

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Pascal Paganon et al.	Confirmation No.:	1061
Appln. No.:	10/598,103	Group Art Unit:	3734
Filed:	April 7, 2008	Examiner:	Brian J. Graham
Title:	INTRAGASTRIC BALLOON WITH IMPROVED FORMING MEANS AND INCREASED MECHANICAL STRENGTH	Atty. Docket No.:	148821-110229
		Customer No.:	25207

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

Sir:

In response to the Office Action of October 7, 2009, please amend the application as follows:

Status is on page 2.

Summary of USPTO Fees begins on page 3 of this paper.

Amendments to the Specification begin on page 4 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 5 of this paper.

Remarks/Arguments begin on page 9 of this paper.

Conclusion begins on page 12 of this paper.

STATUS OF APPLICATION PRIOR TO AMENDMENT

The above-captioned patent application is pending.

Claims 1-22 were pending in the application.

Claims 1-4, 6-8, 11, 16-17, 19 and 21 are rejected under 35 USC 102(b) as being anticipated by Lai et al. (U.S. Patent No. 4,739,758).

Claims 5, 12-14 and 22 are rejected under 35 USC 103(a) as being unpatentable over Lai et al. (U.S. Patent No. 4,739,758) in view of Gau et al. (U.S. Patent No. 5,084,061).

Claims 9-10 are rejected under 35 USC 103(a) as being unpatentable over Lai et al. (U.S. Patent No. 4,739,758) in view of Garren et al. (U.S. Patent No. 4,899,747).

Claims 15, 18 and 20 are rejected under 35 USC 103(a) as being unpatentable over Lai et al. (U.S. Patent No. 4,739,758) in view of Paganon (U.S. Patent Publication No. 2007/0135829).

SUMMARY OF USPTO FEES ENCLOSED HEREWITH

Excess Claims Fees

Applicant had previously paid fees sufficient to cover 22 total claims and 3 independent claims. As a result of the Amendment and Response filed herewith, the application currently has 24 total claims and 3 independent claims. The Commissioner of Patents is authorized to charge the appropriate small entity fees for excess claims in the amount of \$52 for 2 additional total claims (\$26 per claim) to Deposit Account No. 50-4913.

It is believed these fees are correct; however, the Commissioner for Patents is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-4913.